

**The Tennessee Peace Officer Standards and Training Commission met on Thursday, April 17, 2014, at 9:30 a.m., at the Tennessee Law Enforcement Training Academy Annex, 3025 Lebanon Pike, Nashville, Tennessee.**

**POST MEMBERS PRESENT:**

**Commissioner Rita Baker  
Commissioner Dave Bennett  
Commissioner Glen Donoho  
Commissioner Carl Jenkins  
Commissioner Jeff Long  
Commissioner Frank Lax  
Commissioner Jeff Lewis  
Commissioner Dusty Rhoades  
Commissioner Kim Wallace  
Commissioner Jimmy Wheeler  
Commissioner Ric Wilson – Acting Chairman  
Commissioner Bobby Williamson  
Gen. Brent Cherry**

**POST STAFF PRESENT:**

**Mr. Brian Grisham, Executive Secretary  
Ms. Gay Rye, Admin. Services Assistant  
Mr. Johnny Welch, POST Investigator  
Mr. Stan Murphy, POST Investigator  
Mr. Joseph Underwood, Attorney, Commerce & Insurance**

Acting Chairman Wilson called the meeting to order and recognized Commissioner Rhoades, who read the following disclaimer: All POST Commissioners have previously agreed to recuse themselves from any vote that would constitute a conflict of interest. The most obvious of these would include any issues that involve our own departments or someone we know personally. Because we have already agreed to this, it should be noted on routine matters, it may be assumed nonverbally that the commissioners have abstained from the vote. In bigger, more controversial issues that may have a more overt conflict of interest or may have the appearance of impropriety, applicable commissioners will still verbally abstain from the vote.

Chairman Wilson entertained a motion for Adoption of the Agenda. Commissioner Baker so moved, seconded by Commissioner Wheeler, The motion carried.

The next item on the agenda was approval of Minutes of the March 21<sup>st</sup> POST meeting. Commissioner Jenkins moved for approval of the Minutes, seconded by Commissioner Baker. The motion passed.

The Decertification Hearing Committee did not meet in April.

**There was no one appearing before the commission for waivers of preemployment requirements.**

**WAIVER OF BASIC TRAINING – 1110-02-.03 + 1110-9-.02**

The following requests for Waiver/Substitution of Basic Training have been reviewed and appear to meet POST requirements:

**KNOX COUNTY SO – MALONE, ROGER ALLEN**

Request is made for Officer Malone to attend the Transition School at Knox County on June 2-30, 2014. He completed basic at the South Carolina Justice Academy in Columbus, South Carolina 5-28-99 with a total of 394 hours and was employed as a full time officer by the Pickens County SO from 4-97 to 1-05 and the Anderson County So from 1-05 to 10-09, both in South Carolina. He became full time with Knox County on 3-24-14 and request to issue POST Certification after successful completion of the transition school.

Commissioner Lewis moved to approve, seconded by Commissioner Williamson. The motion carried with Commissioner Jenkins abstaining.

**MCMINNVILLE PD – TEACHOUT, RICHARD JASON**

Request is made to issue POST Certification to Officer Teachout. He attended WSCC graduating on 12-6-13 and became full time with McMinnville PD on 3-10-14.

Waiver is also requested for POST Rule 1110-02-03 requiring officers to attend the same academy. He began THP's Academy in beginning 10-31-10, but voluntarily dropped on 11-7-10, due to family issues.

Commissioner Lewis moved to approve the request for waiver, seconded by Commissioner Baker. There being no discussion, the motion carried.

**SOUTHWEST TENNESSEE COMMUNITY COLLEGE PD – FORD, VANTWON DE'ANTALO –**

Request is to issue POST Certification to Officer Ford. He attended basic at the Memphis PD 25<sup>th</sup> Regional/13<sup>th</sup> Lateral Basic Police Recruit Training Session graduating on 11-17-10 with a total of 484 hours. He completed 48 hours of in-service in 2013, no record for 2011 or 2012, while he was employed by the Memphis City Schools as a Security Officer from July 2010 to present.

Commissioner Baker moved for approval, seconded by Commissioner Lewis.

Commissioner Williamson asked what the POST Rules say about missing two years in a row. Mr. Welch responded had Mr. Ford been certified and missed two years consecutively, it would be automatic decertification. Mr. Ford is still within the five-year window. Mr. Grisham noted Mr. Ford will have to go to in-service immediately.

The motion to approve passed.

**SPECIALIZED SUBSTITUTIONS FOR IN-SERVICE TRAINING – 1110-4-.09**

The following items, numbers 1 through 5 requests for approval of Specialized Training Substitution, have been reviewed and appear to meet the guidelines set forth in POST Rule 1110-04-9. T.C.A. mandated Child Sexual Abuse, EVOC, Mental Illness and Firearms qualifications must be completed and documented to complete requirements for In-service training, if not included in the curriculum of these courses.

1. Germantown PD - Request approval of Specialized Training Substitution for the following Officers:

Darrell E. LaRiviere – “Advanced Forensics Training” – U.S. Secret Service – Hoover, AL – March 11-21, 2014 – 64 Hrs.

Lowell Young – Mechanical, Thermal, & Ballistic Breaching” – Tactical Energetic Entry Systems” – Byhalia, MS – January 29-31, 2014 – 24 Hrs.

2. Lenoir City PD - Request approval of Specialized Training Substitution for the following Officers:

Kevin M. Condee – “Prevention of & Response to Suicide Bombing Incidents” – New Mexico Institute of Mining & Technology – NM Testing Center – March 10-14, 2014 – 36.5 Hrs.

3. Manchester PD - Request for college/university police courses to be considered toward meeting POST 40 hour in service requirements for the following Officers:

Jason D. Kennedy – “Community Corrections” – Bethel University – January – March, 2014 – 3 Credit Hours

4. Moore Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Thomas M. Brandon – “Basic Narcotics Handler Course, & Patrol Course” – Chatham County Regional K-9 Resource Team – Chatham Co. GA – February 3 – March 14, 2014 – 240 total hours.

5. Metro Nashville Airport PD - Request approval of Specialized Training Substitution for the following Officers:

Brian D. Robbins – “Hazardous Materials Technician for CBRNE Incidents” – Dept. of Homeland Security FEMA – Anniston, AL – February 9-15, 2014 – 40 Hrs.

Commissioner Lewis moved to approve Items 1-5, seconded by Commissioner Wheeler. The motion carried

#### **APPLICATIONS FOR TRAINING OFFICER – 1110-04-.03**

The following items, Number 1 through 5, applications for Training Officer, have been reviewed by POST Investigators and appear to meet criteria for approval. The officers will be informed that they must complete and Instructor Development course within the next 12 months.

1. \*Arnold AFB PD – Kelly, Ray V. – Request Lieutenant Kelly to become the training officer for the department. He has been with the department since 2013 and request to accept Combat Arms Apprentice course in lieu of the required Instructor Development.
2. Greeneville PD – Guinn, Kevin Lloyd – Request Officer Guinn to become the training officer for the department. He has been in law enforcement for over 10 years and has completed the required Instructor Development.
3. McMinn Co. SO – Jones, Daniel Lee – Request Sergeant Jones to become the training officer for the department. He has been in law enforcement for 32 years and has completed the required Instructor Development.
4. Rossville PD – Traughber, Corey Adam – Request Officer Traughber to become the training officer for the department. He has been in law enforcement for over 5 years and has completed the required Instructor Development.
5. Winchester PD – Marlin, Ryan Lee – Request Officer Marlin to become the training officer for the department. He has been with the department for 8 years and has completed the required Instructor Development.

Commissioner Baker asked concerning Item #1 and if the Combat Arms Apprentice Course has anything to do with Instructor Development. Mr. Welch explained that the military does not call the course Instructor Development and that most military instructor schools are a minimum of three weeks in length.

Commissioner Lewis moved to approve Items 1-5, seconded by Commissioner Baker. The motion carried.

**APPLICATIONS FOR CERTIFIED INSTRUCTOR – 1110-03-.04**

The following items Number 1 through 38, have been reviewed by POST Investigators, and appear to be in order and meet minimum standards:

1. Algood PD – Steel, Russell Mark – Request Officer Steel to become Specialized Instructor in the following area[s]:

Active Shooter/Killer

Officer Steel has been with the department since 2005 and has completed the required course as well as Instructor Development.

2. Algood PD – Swallows, Nicholas Bryant – Request Lieutenant Swallows to become Specialized Instructor in the following area[s]:

Active Shooter/Killer

Lt. Swallows has been with the department since 2005 and has completed the required course as well as Instructor Development.

3. \*Arnold AFB PD – Kelly, Ray V. – Request Officer Kelly to become Specialized Instructor in the following area[s]:

Firearms

Officer Kelly has been with the department since 2013. Request to accept Combat Arms Apprentice course in lieu the required course of Instructor Development.

4. Bradley Co. SO – McCollum, Stephen Anthony – Request Sergeant McCollum to become Specialized Instructor in the following area[s]:

Patrol Rifle Armorer (AR/15-M/16)  
Patrol Shotgun Armorer (870 and 11/87)

Sgt. McCollum has been in law enforcement since 1985 and has completed the required course as well as Instructor Development.

5. Cleveland PD – Darnell, Mark C. – Request Sergeant Darnell to become Specialized Instructor in the following area[s]:

Defensive Driving  
Firearms

Sgt. Darnell has been with the department since 1997 and has completed the required course as well as Instructor Development.

6. Franklin PD – Adcock, Michael Jason – Request Officer Adcock to become Specialized Instructor in the following area[s]:

Emergency Vehicle Operations  
Radar/Lidar Instructor

Officer Adcock has been with the department since 2004 and has completed the required course as well as Instructor Development.

7. Franklin PD – Anderson, Michael Eric – Request Sergeant Anderson to become Specialized Instructor in the following area[s]:

Police Management  
Shoothouse Instructor/Range Safety Officer

Sgt. Anderson has been with the department since 1999 and has completed the required course as well as Instructor Development.

8. Franklin PD – Crowe, Tami Lee – Request Officer Crowe to become Specialized Instructor in the following area[s]:

Domestic Violence & Sexual Assault

Officer Crowe has been with the department since 2001 and has completed the required course as well as Instructor Development.

9. Franklin PD – Damm, Timothy Scott – Request Officer Damm to become Specialized Instructor in the following area[s]:

Shoothouse Instructor

Officer Damm has been with the department since 2008 and has completed the required course as well as Instructor Development.

10. Franklin PD – Kroeger, Cory Vincent – Request Officer Kroeger to become Specialized Instructor in the following area[s]:

DUI - SFST

Officer Kroeger has been with the department since 2008 and has completed the required course as well as Instructor Development.

11. Franklin PD – Valentin, Megan Leigh – Request Officer Valentin to become Specialized Instructor in the following area[s]:

DUI - SFST

Officer Valentin has been with the department since 2007 and has completed the required course as well as Instructor Development.

12. Grundy Co. SO – Boyd, Christopher Donald – Request Chief Deputy Boyd to become the General Departmental Instructor for the department. He was previously the training officer and has completed the required course of Instructor Development. He has been the department since 2005.

13. \*Hardin Co. SO – Pitts II, Charles Michael – Request Deputy Pitts to become Specialized Instructor in the following area[s]:

Emergency Medical

Deputy Pitts has been with the department since 2012 and has completed a public speaking course in lieu of the required course as well as Instructor Development.

14. Hendersonville PD – Barnes, II, James Lloyd – Request Corporal Barnes to become Specialized Instructor in the following area[s]:

Firearms

Cpl. Barnes has been with the department since 1991 and has completed the required course as well as Instructor Development.

15. Hendersonville PD – Marshall, Reginald Alvis – Request Officer Marshall to become Specialized Instructor in the following area[s]:

Firearms

Officer Marshall has been with the department since 2005 and has completed the required course as well as Instructor Development.

16. Humphreys Co. SO – Phelps, Randy Jay – Request Sergeant Phelps to become Specialized Instructor in the following area[s]:

Police Sniper Instructor

Sgt. Phelps has been with the department since 2011 and has completed the required course as well as Instructor Development.

17. Lafayette PD – Looper, Matthew Malcolm – Request Officer Looper's previous General Departmental Instructor certificate, #06-27GD, to be activated through the department. He was previously the training officer and the General Department Instructor for the department. He returned to the department in 2012 and the required course of Instructor Development is on file.

18. Manchester PD – West, Mitchell Jay – Request Officer West to become Specialized Instructor in the following area[s]:

Firearms

Chemical Spray

Officer West has been with the department since 2001 and has completed the required course as well as Instructor Development.

19. Memphis PD – Colbert-Williams, Angelic – Request Officer Colbert-Williams to become Specialized Instructor in the following area[s]:

Domestic Violence

Officer Colbert-Williams has been with the department since 1995 and has completed the required course as well as Instructor Development.

20. Memphis PD – Covington, Robert Lee – Request Sergeant Covington to become Specialized Instructor in the following area[s]:

K-9 Dual Purpose Trainer

Sgt. Covington has been with the department since 189 and has completed the required course as well as Instructor Development.

21. Memphis PD –Cummings, Stephen R. – Request Sergeant Cummings to become General Instructor with the department. Sgt. Cummings is assigned to the training division and has been with the department since 1998. He has completed the required course of Instructor Development.

22. Memphis PD – Shabazz, Vikki Lynn – Request Detective, Officer Shabazz to become Specialized Instructor in the following area[s]:

Money Laundering

Det. Officer Shabazz has been with the department since 2003 and has completed the required course as well as Instructor Development.

23. Memphis PD – Wilkinson, Rodney – Request Officer Wilkinson to become Specialized Instructor in the following area[s]:

K-9 Decoy Development

Officer Wilkinson has been with the department since 1997 and has completed the required course as well as Instructor Development.

24. \*Metro Nashville PD – Doak, Robert William – Request Officer Doak to become Specialized Instructor in the following area[s]:

Basic Sniper Operations

Officer Doak has been with the department since 1995 and has completed Speech/Communications class for substitution for the required Instructor Development.

25. Mt. Juliet PD – Fulton, Scott Micah – Request Sergeant Fulton to become Specialized Instructor in the following area[s]:

Active Shooter/Killer

Sgt. Fulton has been with in law enforcement since 2000 and has completed the required course as well as Instructor Development.

26. Rossville PD – Traughber, Corey Adam – Request Officer Traughber to become Specialized Instructor in the following area[s]:

Firearms

Officer Traughber has been in law enforcement since 2007 and has completed the required course as well as Instructor Development.

27. \*Rossville PD – Traughber, Corey Adam – Request Officer Traughber to become the General Departmental Instructor for the department. He has been re-hired with the department in 2013 and has completed the required course of Instructor Development. Chief Hamric is requesting a waiver of the one year rule due to being a smaller department and the training that Officer Traughber has completed.

28. Savannah PD – Kelley, Timothy Gene – Request Sergeant Kelley to become Specialized Instructor in the following area[s]:

Field Training Officer

Sgt. Kelley has been with the department since 1997 and has completed the required course as well as Instructor Development.

29. Shelby Co. SO – Cooley Jr., Michael Paul – Request Officer Cooley to become a General Instructor for the department. He has been with the department since 2007 and assigned to the training academy. Officer Cooley has completed the required course of Instructor Development.

30. Shelby Co. SO – McNinch, Micah Aaron – Request Deputy McNinch to become Specialized Instructor in the following area[s]:

Firearms

Deputy McNinch has been with the department since 2006 and has completed the required course as well as Instructor Development.

31. Sumner Co. SO – Wright, Wallace Dwayne – Request Captain Wright to become Specialized Instructor in the following area[s]:

Tactical Baton Instructor  
Taser Instructor

Captain Wright has been with the department since 1985 and has completed the required course as well as Instructor Development.

32. Wayne Co. SO – Gilbert, Daylan Ray – Request Deputy Gilbert to become Specialized Instructor in the following area[s]:

Firearms

Deputy Gilbert has been with the department since 2011 and has completed the required course as well as Instructor Development.

33. TN. Highway Patrol – Pollard, Jeffrey Scott – Request Trooper Pollard to become Specialized Instructor in the following area[s]:

Executive Security Searches

Trooper Pollard has been with the department since 1994 and has completed the required course as well as Instructor Development.



34. U.T. Knoxville Campus Police Department – Brooks, Scott Anderson – Request Lieutenant Brooks to become Specialized Instructor in the following area[s]:

Firearms

Lt. Brooks has been with the department since 1999 and has completed the required course as well as Instructor Development.

35. Vanderbilt University Police Department – Bradley, II, Jerry Hugh – Request Lieutenant Bradley to become the General Departmental Instructor for the department. Lt. Bradley has been assigned to the training division and has been in law enforcement since 1993 and has completed the required course of Instructor Development.

36. Vanderbilt University Police Department – Pasinger, Robert Alan – Request Corporal Pasinger to become Specialized Instructor in the following area[s]:

Firearms

Cpl. Pasinger has been with the department since 1990 and has completed the required course as well as Instructor Development.

37. \*Norfolk Southern Railway Police Department – Barham, Blake Andrew – Request Special Agent Barham to become Specialized Instructor in the following area[s]:

Defensive Driving  
Firearms

S.A. Barham has been in law enforcement since 12 years and is requesting the approval of the course: Human Communications through Kennesaw State University in lieu of the required course as well as Instructor Development.

38. Stevens, Lonnie –Former Officer Stevens is a POST Certified LEOSA Instructor. He has made a request to update his Training for LEOSA and included the following courses. He participated in a 40 hour Rangemaster Course on June, 2012 for the Metro Nashville PD and hosted by Utah county Sheriff's Office. He also attended the International Association of Law Enforcement Firearms Instructor, Inc., 32<sup>nd</sup> Annual Training Conference in Nashville on May 20-25, 2012.

Commissioner Lewis moved to approve Items 1-38 with waivers on Nos. 24, 27 and 37. Mr. Welch explained that #37 has had Public Speaking, which will suffice. On #27, Rossville PD is a three-man department. Mr. Welch explained that #24 has not completed Instructor Development but completed Speech Communication in college, which will substitute. Commissioner Baker seconded the motion, which motion passed.

#### **CURRICULUM AND TESTS – 1110-04**

The following Items 1 through 36 have been reviewed by POST Investigators and appear to be in order and meet or exceed minimum standards for POST requirements:

1. Alamo PD – CSA/EVOC/MI – 2014 Training Year.  
Dept. completing V-Academy for In-service.
2. Alexandria PD – Firearms – 8 hours, 2014 Training year

June 9 & 16, 2014

3. Berry Hill PD – Firearms – 12 hours  
2014 Training Year
4. Chattanooga PD - In-service – 40 hours. CSA/EVOC/MI/FA  
2014 Training Year
5. Columbia PD - In-service, 24 hours/CSA/EVOC/MI.  
2014 Training Year (beginning Feb. 25. 2014)
6. Decherd PD –In-service, 40 hours/CSA/EVOC/MI/FA.  
2014 Training Year
7. Dunlap PD – Firearms – 8 hours, 2014 Training Year  
May 27 & 29, 2014  
June 17 & 19, 2014  
Oct. 9, 16, 2014
8. Fairview PD – Basic Auxiliary Intro 40 hour Class/CSA/EVOC/MI/FA  
March 5-12, 2014  
Sept. 17-21, 2014  
In-service/40 hours/CSA/EVOC/MI/FA  
March 24-28, 2014  
May 12-16, 2014  
Sept. 8-12, 2014
9. Gatlinburg PD – Firearms – 8 hours  
2014 Training Year
10. Germantown PD – Reserve Police Academy – 13 weeks, CSA/EVOC/MI/FA  
2014 Training Year
11. Greene County SO – 16 hours In-service, CSA/EVOC/MI/FA  
2014 Training Year
12. Hamblen County SO – Firearms – 8 hours  
2014 Training Year
13. Hawkins County SO – SRO In-service Class, 40 hours/CSA/EVOC/MI/FA  
June 16-20, 2014
14. Henderson PD - In-service, 24 hours/CSA/EVOC/MI.  
2014 Training Year
15. Lawrence County SO – In-service, 40 hours/CSA/EVOC/MI/FA.  
2014 Training Year
16. Lincoln Memorial University PD – 8 hours Firearms  
2014 Training Year
17. McNairy County SO – 24 hours In-service/CSA/EVOC/MI/FA.  
2014 Training Year  
April 21, 22 & 23, 2014

MINUTES FOR COMMITTEE POST COMMISSION MEETING

PAGE 11

APRIL 17, 2014

18. Macon County SO – In-service, 40 hours/CSA/EVOC/MI/FA  
2014 Training Year
19. Madisonville PD – In-service, 40 hours/CSA/EVOC/MI/FA  
March 24-28, 2014
20. Manchester PD – Firearms, 8 hours  
2014 Training Year
21. Meigs County SO – Firearms, 8 hours  
June 27, 2014  
(Remainder of In-service through V-Academy)
22. Metro Nashville PD – Session 73, Basic Police School –  
Graduated March 6, 2014
23. Metro Nashville PD – Session 75, Basic Police School –  
Beginning April 1, 2014
24. Montgomery County SO – Court Security and Civil Process Division In-service. 16 hours.  
CSA/EVOC/MI  
June 5-6, 2014  
June 12-13, 2014
25. Morristown PD – General In-service, 40 hours/CSA/EVOC/MI/FA  
2014 Training Year
26. Polk County SO – In-service, 40 hours/CSA/EVOC/MI/FA.  
2014 Training Year
27. Red Bank PD – In-service, 40 hours/CSA/EVO/MI/FA.  
2014 Training Year
28. Roane State PD – In-service, 40 hours/CSA/EVOC/MI/FA  
2014 Training Year
29. Shelby County SO – In-service for Reserve Officers, 40 hours/CSA/EVOC/MI/FA.  
#1 – March 31, April 1,2,5,7,8,9,& 12. 2014  
#2 – June 2,3,4,7,9,10, 11 & 14, 2014  
#3 – June 16,17, 18, 21, 23, 24, 25 & 28, 2014  
#4 – July 7,8,9, 12, 14, 15, 16, & 19, 2014  
#5 – July 21, 22, 23, 26, 28, 29, 30, Aug. 2, 2014  
#6 – Sept. 23, 24, 25, 28, 30, Oct, 1,2 & 5, 2014
30. Shelby County SO -40 hours In-service for Courts. CSA/EVOC/MI/FA  
#1 – March 17-21, 2014  
#2 – June 9-13, 2014  
#3 –Oct. 13-17, 2014

31. Shelby County SO – Middle Management In-service, 40 hours/CSA/EVOC/MI/FA.  
#1 March 24-28, 2014  
#2 – March 31-April 4, 2014  
#3 – April 7-11, 2014  
#4 – April 21-25, 2014
32. South Fulton PD – In –service Training – 40 hours/CSA/EVOC/MI/FA.  
April 21 – 25, 2014
33. UT – Martin Dept. of Public Safety – 8 hours Firearms.  
2014 Training Year  
(remainder of in-service through V-Academy)
34. Vanderbilt University PD – In-service, 16 hours/FA.  
2014 Training Year  
(remainder of in-service through V-Academy)
35. Warren County SO – In-service, 40 hours/CSA/EVOC/MI/FA.  
2014 Training Year
36. Weakley County SO – 40 hours In-service/CSA/EVOC/MI/FA  
May 6, 7, 8, 13, & 15, 2014

Commissioner Lewis moved to approve Items 1-36, seconded by Commissioner Baker. The motion carried.

**SPECIALIZED TRAINING CURRICULUM – 1110-04-.09**

The following Items 1 through 57, have been reviewed by POST Investigators and appear to be in order and meet minimum standards for Specialized Training Substitution. Child Sexual Abuse, EVOC, Mental Illness and Firearms must be completed and documented to complete requirements for In-service training. Those specialized schools including Child Sexual Abuse training will be designated as they are approved for POST information.

1. Bartlett PD – At-Scene Traffic Crash Investigation School, 40 hours  
April 21-25, 2014  
May 5-9, 2014  
May 26-30, 2014
2. Chattanooga PD – FTO Schools, 40 hours  
March 24-28, 2014  
April 28-May 2, 2014
3. Crossville PD – Active Shooter, 40 hours  
April 14-18, 2014
4. Dyer County SO – Craft International “Tactical Concepts with Structural Alignment Combative Principles(SACP) Course. 40 hours  
April 1-4, 2014
5. Dyersburg PD – Basic Police Cyclist School, 40 hours  
May 5-9, 2014
6. Dyersburg PD –Basic School Resource Officer Class, 40 hours, CSA/MI/EVOC

July 21-25, 2014

SRO Update School – 16 hours  
July 17-18, 2014

7. Gallatin PD – Basic Field Training Officer Course – 40 hours/CSA/EVOC/MI.  
June 16-20, 2014
8. Gallatin PD – Instructor Development Course – 40 hours/CSA/EVOV/MI.  
July 21 – 25, 2014
9. Hamilton County SO – Sexual Assault Investigations Course, 40 hours/CSA  
April 21-25, 2014
10. Hamilton County SO – H&K, M4 & AR-15 Instructor Course taught by Singleton International  
June 1-6, 2014. 48.5 hours
11. Hendersonville PD – At-Scene Accident Investigation – 40 hours.  
March 10-14, 2014
12. Hendersonville PD- Police Motorcycle Certification Course, 80 hours, Instructed at TLETA.  
May 12-23, 2014
13. Jackson PD – Sexual Assault Investigations – 16 hours.  
May 1-2, 2014
14. Jackson PD – Communication Skills for the Patrol Officer – 8 hours  
April 9 & 28, 2014
15. Johnson City PD – Basic SWAT Operator – 40 hours  
May 19-23, 2014
16. Knox County SO – Animal Cruelty and Fighting Investigations Class – 7 hours  
May8, 2014
17. Lebanon PD – LEOSA/Firearms Course – 8 hours  
April 24, 2014
18. Lorman Education Services – Brady v. Maryland Criminal Procedural Rights and Civil Causes of  
Action – Live Webinar - June 17, 2014
19. Martin PD – 8 hours Specialized Training – 2014 Training Year.
20. Maury County SO – Tennessee School Resource Officer Association Training for 2014. 32 hours.  
June 16-20, 2014
21. Memphis PD – K-9 Training School – Aug 9-Oct. 25, 2013
22. Memphis PD – K-9 Training School – March 10-May 16, 2014

MINUTES FOR COMMITTEE POST COMMISSION MEETING

PAGE 14

APRIL 17, 2014

23. Metro Nashville PD – CVSA Certified Examiners Course, 52 hours  
West Precinct – April 14-18, 2014  
East Precinct – Sept. 22-26, 2014
24. Metro Nashville PD - 3 Day Recert CVSA, 30 hours  
West Precinct – April 15-17, 2014  
East Precinct – Sept. 23-25, 2-14
25. MTSU Public Safety PD – Police Report Writing #14-357 – Rescheduled  
May 20-21, 2014
26. MTSU Public Safety PD – MTSU Department of Criminal Justice Law Enforcement Training Seminar, instructed by Dr. Dennis Powell. 32 hours/CSA/EVOC/MI.  
May 12-15, 2014
27. Murfreesboro PD – Request approval for the following:  
  
Officer Involved Domestic Violence – 2 hours (Online course –  
Florida State University sponsored by Murfreesboro PD.  
2014 Training year.  
  
Field Training Officer School – 32 hours (rescheduled)  
April 29- May 2, 2014  
  
SWAT School – Level 2 – 40 hours  
May 5-9, 2014  
TN. National Guard Training Center
28. Pigeon Forge PD – Basic Police Motorcycle Training Course – 40 hours  
June 16-20, 2014
29. Pigeon Forge PD- Basic SWAT School – 40 hours  
May 19-23, 2014
30. ROCIC –VALOR training, sponsored by ROCIC and Jackson-Madison County General Hospital –  
8 hours.  
March 25, 2014 – Jackson  
  
Conducting Investigations Using Social Media and the Internet – 8 hours  
Nashville ROCIC training facility.  
Jan 9, 2014  
  
Online Investigations: Tools, Tips and Techniques – 16 hours  
Nashville ROCIC training facility  
March 19-20, 2014  
  
Special Operations Supervisors Training – 36 hours  
Nashville ROCIC training facility  
April 14-18, 2014

Tactical Narcotics Techniques – 36 hours  
Nashville ROCIC training facility  
May 5-9, 2014

Preparing and Conducting the Interview and Interrogation & Intermediate  
Interviewing Techniques – 8 hours  
Nashville ROCIC training facility  
March 18, 2014

31. Rhea County SO – Active Shooter Training – 24 hours  
2014 Training Year
32. Rhea County SO – Domestic Violence – 40 hours  
March 17-21, 2014
33. Roane County SO – K-9 Explosives, Narcotics and Human Detection Classes –  
120 hours.  
June & October, 2014
34. Rutherford County –  
PACT “Investigating Child Sex Abuse Crimes” – 16 hours  
May 28-29, 2014  
  
NASRO Basic SRO Training – 40 hours/CSA  
Oct. 6-10, 2014
35. Savannah PD – Field Training Officer Class – 40 hours  
June 2-6, 2014
36. Shelby County SO – Instructor Development Course – 40 hours  
Feb. 24-28, 2014
37. Shelby County SO – Fit to Enforce Fitness Instructor – 36 hours  
March 24-28, 2014  
  
Upper Management Specialized Training-Lieutenants & above.  
8 hours/CSA/EVOC/MI  
#1 – March 6, 2014  
#2 – March 13, 2014  
#3 – March 20, 2014  
  
Upper Management Specialized Training Sessions  
16 hours.  
#1 – Feb. 12-13, 2014  
#2 – Feb. 19-20, 2014  
#3 – Feb. 26-27, 2014  
SAVIN Awareness Training – In conjunction with TSA. 2.5 hours  
March 24-25, 2014
38. TBI – Firearms Instructor Course (Train the Trainer) – 37.5 hours  
Active Shooter Course, ALERRT – 15 hours  
2014 Training Year

39. TBI – TBI Intoximeter EC/IRII 2 Test Protocol Operator Certification Course – 4 hours. To be instructed to all TN. Police and Sheriff's Depts.  
2014 Training Year
40. Dept. of C & I, Bomb & Arson Section – Tennessee Advisory Committee on Arson Annual Seminar(TACA) – 20 hours  
Murfreesboro, TN.  
May 14-16, 2014
41. TACP – April TACP Meeting, Nashville, TN. – 12 hours  
April 2-4, 2014
42. TACP – 2014 Intelligence Analysis/Gang Intelligence Sharing, Eastern Division of Tennessee. 6.5 hours  
Kingsport – April 2, 2014  
Knoxville – April 3, 2014  
Chattanooga – April 9, 2014  
Winchester – April, 10, 2014
43. TEMA – G364 Multi Hazard Emergency Planning for Schools and L362 Train the Trainer Multi-Hazard Emergency Planning for Schools – 16 hours for each course.  
2014 Training Year beginning July 23-25, 2014
44. TEMA – GPS/Land Navigation – 20 hours  
2014 Training Year
45. THP – Traffic Incident Management Class – 4 hours, Instructed statewide.  
2014 Training Year
46. TLETA/POST – Landmines, Hand Grenades and Snipers – 4 hours,  
Customer Service in LE – 1.5 hours  
For instruction in the New Sheriff's School for 2014.
47. TSA – Request for approval of training hours for the April 2-3, 2014 Meeting. CSA/MI was included. 8 hours.; 12 hours with Board Meeting; 14 hours with Board and Legislative Meeting.
48. UT – Law Enforcement Innovation Center –  
First Line Supervision and Management – 16 hours  
Jackson, TN – April 7-8, 2014  
Clarksville, TN – May 27-28, 2014  
  
Crime Scene Management Course – 24 hours  
Springfield, TN – June 4-6-2014  
McMinnville, TN – June 25-27 2014  
Germantown, TN – July 23-25, 2014  
  
SRO Basic Training Train the Trainer – 24 hours  
Oak Ridge – May 20-22, 2014  
  
Latent Print Processing – 16 hours  
Oak Ridge - May 21-22, 2014



49. Williamson County SO – School Resource Officer Intermediate Training Course  
24 hours  
June 23-26, 2014
50. Wilson County SO – Firearms Instructor School, 40 hours  
April 7-11, 2014
51. White House PD – Defensive Tactics for the Female Officer – 40 hours  
2014 Training Year
52. White House PD – Defensive Tactics - 40 hours  
2014 Training year
53. White House PD – Active Shooter - 6 hours  
2014 Training Year
54. WSCC – DUI Detection and Standardized Field Sobriety Testing (SFST) – 24 hours. Instructed in both In-service and Basic.  
2014 Training Year
55. Everything Weapons, Warren Smith – LEOSA training – 8 hours.  
Feb. 24, 2014  
April 28, 2014.
56. Guns and Leather Shooting Academy – LEOSA Classes – 8 hours.  
March 30, 2014  
April 27, 2014  
May 31, 2014
57. US Attorney's Office/LECC/TLETA – 2014 Gatlinburg Law Enforcement Conference. May 6-8, 2014, 24 hours.

Commissioner Lewis moved to approve Items 1-57, seconded by Commissioner Baker. Commissioner Long noted he would abstain on Item 48 as he helped to develop that course, and also Item 49 as it is being sponsored through his department. The motion carried.

## **OLD BUSINESS**

**Chairman Wilson turned the floor over to Attorney Joe Underwood for a presentation on formal hearings.**

**Mr. Underwood told the commission there are presently scheduled two formal hearings in May. While going through files, he came across five cases which he would like to present to the commission to reconsider previous authorization to proceed with decertification.**

**The first case involves an officer who plead guilty to one count of public indecency. In preparing the formal charges against this officer, that officer has decided to counter with a proposal that he would like to receive something less than decertification.**

**Mr. Underwood explained that the officer plead guilty to one count of public indecency, which is a Class B misdemeanor, in September of 2010. He was sentenced to six months of unsupervised probation, which he completed successfully, but his conviction has not been expunged. The officer was terminated for conduct unbecoming an officer and violation of department orders, and his department requested that POST**

decertify him for that conviction and that charge. The officer had previously been employed by the sheriff's department that he was also terminated from for a similar situation of conduct unbecoming an officer.

The officer is requesting that the POST Commission consider an agreed order of suspension for a period of five years from the date of the incident or the date of the execution of the order instead of going forward with decertification. Mr. Underwood said his recommendation would be that the commission continue on to decertify.

Commissioner Lewis moved to go forward with decertification, seconded by Commissioner Baker. Mr. Underwood noted that adoption of this motion would be to deny the officer's offer of settlement. There being no further discussion, the motion carried.

Mr. Underwood reported an officer was terminated by his police department based on a conviction. However, that conviction has since been expunged after the officer served the probationary period. The expungement takes it back to time before the conviction occurred. Mr. Underwood remarked he feels it will be difficult to proceed with decertification on that matter as the offense would not be a part of the record. If the court is contacted concerning the matter, they will say the matter has been expunged. The district attorney's office will say there is no record of it. Mr. Underwood noted that that is the effect of expungement in that it takes the person back to where there was never an arrest. Mr. Underwood added because of the expungement, there are no records for the POST Commission to review and will make it difficult to proceed.

Commissioner Baker asked about the initial conduct that got the officer fired in the first place. Mr. Grisham asked if the officer was terminated because of the criminal charge or for some other violation. Mr. Underwood answered that he received a letter from the district attorney and the request for decertification initially came from the district attorney from their investigation, however, it was later expunged. However, the reason for termination was the conviction.

Commissioner Lewis asked if the commission has had other cases where they continued with decertification even though there was expungement and later was overturned by the courts. Gen. Cherry answered that the chancery court ruled that the POST Commission cannot consider the conviction if it has been expunged. The POST rule reads if a person pleads guilty to an event, they are then disqualified. That is one of the preemployment requirements. Gen. Cherry noted that it used to be if someone had a charge they plead guilty to but it never became a conviction because it was put into diversion, even if it was expunged, the POST Commission could still consider the fact they had plead guilty and consider that ineligible for employment. However, with the ruling in the Castro and Wright cases, the court came back with the ruling that the whole idea of expungement is to make it as if it never happened and cannot be considered anymore.

Gen. Cherry said if the basis for this officer's decertification was the conviction, then the POST Commission has nothing to work with. If it was for some other reason and the conviction was collateral to that, then that is a different scenario. He added this case does not sound like that and all they have is a conviction and they are precluded by law from going forward with it.

Mr. Underwood said his recommendation would be to dismiss the decertification request.

Commissioner Jenkins asked how high of a felony can get diversion and if a B felony can get diversion. He said he is sure an A felony cannot get diversion. Mr. Grisham responded that the legislature, at the prompting of the district attorneys, has severely curtailed the diversion program. There are diversions of different degrees. The standard diversion where there is no plea and no contract between the DA and the defendant and it quietly gets expunged before it ever goes to trial are going to be rare, and those will have to be reduced to a misdemeanor to go into that type of diversion program. Gen. Cherry added there are pretrial diversions that go before the DA and those have their own problems. Mr. Grisham said judicial diversions can be more serious crimes and diversion can occur one of two ways – they either have to plead guilty or be found guilty. A jury finds them guilty and the judge then diverts the sentence in certain circumstances. Commissioner Jenkins remarked that a person can commit an armed robbery, which is a C

felony, and get their record expunged and apply for a police job. Gen. Cherry responded that that would be very unusual that a judge would give a diversion on that type of case. Mr. Grisham noted that persons are granted only one expungement.

Commissioner Lewis moved to accept the recommendation and dismiss the request for decertification. Commissioner Baker seconded, which motion carried.

Mr. Underwood reported the next case is that of an officer who resigned in lieu of termination in 2010 for violation of departmental policies. It appears the officer was terminated for conviction of criminal charges, however that record has been expunged. The internal report from the agency states the officer resigned in lieu of termination and there is a request from the agency for decertification. Mr. Underwood said this concerns him because if there were criminal charges, the commission has no idea, therefore, it goes back to a violation of departmental policy. Commissioner Lewis asked if the officer resigned in lieu of the investigation. Mr. Underwood said the officer resigned in lieu of termination, however, there is not a letter of the officer resigning or saying that he was terminated for the offenses.

Commissioner Lewis noted that the POST Commission has the report sent from the department and would move to continue on with decertification. Commissioner Baker seconded. Commissioner Lewis added if the officer brings a letter that he was terminated, then they go back to the question of what was he terminated for. General Cherry remarked that it can go to the decertification hearing committee to look at and make a recommendation. Commissioner Lewis asked if the matter can be sent to the committee for review. Mr. Underwood said they can make that motion.

Commissioner Lewis rescinded his previous motion and moved to have the matter sent to the decertification hearing committee for review, seconded by Commissioner Baker.

Commissioner Baker added she thinks there is a difference between being terminated because of a criminal charge that has been expunged versus being terminated for department violations on conduct that may be later turned into criminal charges that may be expunged. She said there may be a fine line when it comes to a hearing but thinks there is a difference. Mr. Underwood agreed and said he wanted to make sure the commission sees the separation.

Chairman Wilson noted there is a motion and a second on the floor and called for further discussion.

General Cherry asked if the officer comes forward at his hearing and tells the commission what happened, would the commission be necessarily precluded from asking if he was charged or probably could not ask if he pled. He asked if they can go so far to consider the fact of an arrest. Mr. Underwood answered he thinks the expungement cuts off the arrest, but the incident that lead to the arrest will still be in the department's investigation.

The motion carried.

Mr. Underwood reported the next case is that of an officer who resigned in lieu of termination in 2010. It was reported to his department that he was ill in December of 2009 and was placed on sick leave. The department went to the address on three different occasions where the officer had listed as his home address. The officer was not there. A resident there reported that the officer did not live at that address. It was learned the officer had moved to his mother's house to recover from the illness. Due to the failure to be at the appropriate address where they could find the officer for not reporting for duty, the department has requested decertification.

Mr. Underwood said Legal has reviewed this file and is recommending to dismiss the case. It is a violation of departmental policy and the officer was terminated.

Commissioner Lewis moved to dismiss, seconded by Commissioner Wallace. The motion carried.

Mr. Underwood reported the next case is an officer who resigned in lieu of termination in 2008 while facing charges based on allegations by his wife. The charges were dismissed for lack of probable cause. The officer was entered into the National Decertification Index as being decertified without a formal hearing by the POST Commission. Mr. Underwood added that due to the fact that the case was dismissed for lack of probable cause, Legal is requesting that the information on the Index be rescinded and the officer's certification be reinstated.

Commissioner Baker asked if there was a hearing in 2008. Mr. Underwood said there was never a hearing and the charges were eventually dismissed, but the office's information was entered into the data base to be decertified. Mr. Grisham remarked that POST would not have done that without an order. He asked Mr. Underwood if there was not a default order. Mr. Underwood said there was a default order but there was no service to the officer. Mr. Grisham said if that can be communicated to Investigator Murphy and the fact that the officer was never served and is proved, his name will be taken out of the register.

Gen. Cherry asked what the basis of the initial decertification was. Mr. Underwood said it was an initial order of default and was sent to the wrong address. The officer resigned prior to the hearing for violation of general orders, conduct unbecoming a professional, but nothing concerning accusations by the spouse. Gen. Cherry asked if this is a case that should be reexamined or give the officer a pass on. He added that something happened that resulted in an investigation and the officer resigned before the investigation could be completed. Mr. Underwood said there was another charge of being engaged in an unprofessional manner, which probably comes from the charges of the spouse. He was also engaged in a secondary job and giving false and deceitful statements. Gen. Cherry said in this case, they are not just talking about a charge that never resulted in a conviction but there was also some underlying behavior that prompted the investigation.

Mr. Grisham asked Mr. Underwood if any new communication has been received from the officer and do they know for a fact that the order was not served. He added that POST can only know what they know and can only give notice where they can give notice. Mr. Underwood said a letter was received after the default order went down. The officer sent an Order of Expungement and the charges have been dismissed. Commissioner Wheeler noted that this was discovered by Legal and not through the officer asking for recertification. Mr. Underwood said a letter was received by the officer saying he had consulted with his union representative at the time and was advised it was better to resign than to have a hearing. The officer added that that was a mistake on his behalf. The allegations stemming from his spouse is because he wanted a divorce and that the allegations were not true. He communicated all of this after the default order was placed into effect. Mr. Grisham said POST still has the truthfulness issue, the work at the secondary employment without authorization and conduct unbecoming.

Mr. Underwood told the commission he feels if the officer took it up on appeal, the decertification could be easily overturned as he did not have a formal hearing. The default order was in 2009. Mr. Grisham said there is a better system in place now so they are able to get better addresses. Mr. Underwood said this file concerned him because a hearing was never held. The department did have a two-page statement basically saying the officer had these charges against him for violation of policy and that he resigned prior to the hearing. Commissioner Baker asked if the letter says those violations would have resulted in termination had he been found guilty. Mr. Underwood answered that that was prior to 2009 and the rules were different at that time.

Mr. Grisham said his only issue is someone is defaulted and POST bends over backwards and hears the case again but added that if the officer is that concerned about their certification, they should keep in contact with POST, and the mail can only be sent to where the person is supposed to be. Mr. Underwood said the officer's last response was over three years ago. Commissioner Lewis asked how many attempts were made to serve the officer. Mr. Underwood responded that he has several pieces of paper, but it looks like the certificates had been signed by the spouse during that time.

**Mr. Welch said considering this issue is four to five years old and the officer has not come back to POST asking for it to be straightened up and asked if this could remain in suspended status. Mr. Underwood answered the officer is currently decertified. The default order of decertification was in 2009. Mr. Underwood said if there is no action taken today by the commission, he has no problem with that. He said the officer is already past the five-year and is approaching the ten-year mark.**

**Commissioner Rhoades moved that no action be taken, seconded by Commissioner Baker. Commissioner Williamson added if the officer wants to contact POST, he can. Commissioner Rhoades amended the motion to say if the officer wants to come before the commission and plead his case, he is welcome to do so, but POST will not contact him. Commissioner Baker seconded the amendment.**

**Commissioner Wheeler asked if the proper steps were taken for the officer to be placed on the National Decertification Index. Commissioner Jenkins answered that at that time, it was. Mr. Grisham said the officer was given notice as best that could be given and he did not show up for the hearing, therefore, he was defaulted. Mr. Underwood added that the initial order gives him time to appeal, and he did not appeal it within that time. Mr. Grisham remarked that if the officer had been terminated just on criminal charges that have been dismissed, he would agree they need to get the officer in. However, it sounds like there is enough in the record that his department would have fired him or at least severely disciplined him concerning the second employment and unprofessional conduct.**

**The motion carried.**

LEBANON PD – Gordon, Steven Troy

Officer resigned on 12-10-12 prior to Officer's Resignation after being suspended for 30 days after admitting to violating the department's code of ethics and conduct policy.

On 9-26-13 the matter regarding his certification was placed in pending status until the resolution of the criminal charges. Court documents received on 2-20-14 indicating that he received a Judicial Diversion. As a condition, he was to pay court cost and forfeit POST Certification.

Mr. Grisham remarked that the way he reads this, there is a court order. This is a Class E felony for official misconduct. Mr. Gordon is on unsupervised probation at the current time for two years, which also indicates a felony. In the additional conditions, there is a statement that he will forfeit POST Certification. In the 1-5 Conditions, the language is there for expungement, being prosecution is deferred through 40-35-313. If Mr. Gordon continues on and meets probation conditions, it will get expunged. Mr. Grisham said the judge and the district attorney sent this order to him and they want him to surrender his certification.

Mr. Underwood said this brings them to the situation where there are several of these cases where officers are under the jurisdiction of the court. POST has a tendency to set those off until all matters are resolved, but POST does receive decertification requests during the time the officers are on probation. Mr. Underwood said if POST does not proceed with those cases and waits until the matter is through the court system, then they will be facing expungement many times. Mr. Grisham said that has been done in the past and the officer comes to him with an expungement order and he dismisses the case basically because there are no other grounds. However, in Mr. Gordon's case, he is surrendering on the front end, no matter what happens later. Commissioner Baker added that it is also signed by Mr. Gordon's lawyer that Mr. Gordon is going to surrender his POST certification. It does not say until the record is expunged. Mr. Grisham said he would suggest communicating to the officer to consider his POST certification surrendered.

Commissioner Long asked if they can do that on a permanent basis or if only for the term of diversion. He said he did not think the officer could be made to forfeit his certification forever but only for the term that he is under the jurisdiction of the court, which would be January of 2016, according to the order. Commissioner Jenkins said it looks like Mr. Gordon could reapply after this. Mr. Underwood explained that if the certification is surrendered, then they have to start over. The five-year rule does not apply. The person basically reapplies to become an officer and starts all over. Commissioner Long commented that

he is questioning that under the diversion, you can only control for the period of the diversion what you do in the diversion order, not forever. He asked if this will only apply through January 2016.

Gen. Cherry responded if POST has a situation where the person is under the jurisdiction of the court and the control only lasts for the jurisdiction of the diversion and anything he does after that point, the judge cannot come after him. This agreement is entering into the diversion initially. Gen. Cherry said he had concerns about this too but from a different perspective. Mr. Gordon is agreeing to this and is agreeing to give up the certification in order to get diversion. Gen. Cherry said he thinks POST can go forward with this and let Mr. Gordon challenge it. He will have to go back to the court and say he wants to undo this act that he agreed to in order to get his diversion. Gen. Cherry said he thinks under a circumstance like this that POST can accept his surrender and just go forward and Mr. Gordon is done as far as his certification is concerned.

Mr. Grisham said he has seen language placed in diversion orders that the person shall not seek employment as a law enforcement officer, but when the order is gone the person could show back up and say this order does not exist anymore. Commissioner Long commented that he could come back in 2016 and say it does not apply to him any more and wants to be recertified. Gen. Cherry said it gets into definitions. A forfeit is giving up. If they are talking about a suspension, then that is the terminology that should be used.

Commissioner Lewis moved to accept Mr. Gordon's surrender or forfeiture of his POST certification and he be decertified. Chairman Wilson asked for clarification on a forfeiture if the person would have to go back to the academy and start over in order to gain certification. Mr. Underwood answered affirmatively and said if it is surrendered, the person is basically giving up his certification. Gen. Cherry asked if the officer has been out of the academy for less than ten years, could he come back and seek a recertification based on his old academy experience. Mr. Welch responded that under the new POST rules that will be in effect at that time, it will no longer be one to five years. It will be one to three and three to seven years. In any event, the person would have to come back to POST and ask for a waiver and would have to attend the transition school. Gen. Cherry said conceivably, the officer can come back to POST after the probationary period and say he is no longer under the diversion, the charges have been expunged, and ask for his certification back.

Mr. Grisham remarked if the officer shows up and POST has accepted his forfeiture of his certification, then Mr. Grisham said he would be asking for an AG's opinion at that point. Commissioner Long added that it is not known if Mr. Gordon will make it through the probationary period. Commissioner Williamson asked if there is anything the POST Commission can do outside of the judge's order. Mr. Underwood said they have had a few of these prior that have been under diversion and the practice has been to put them in suspended status until the time has run, at which time the officer would come back to the Commission.

Mr. Grisham said he feels the POST Commission can propose formal decertification on the grounds that Mr. Gordon plead guilty to a Class E felony. Mr. Underwood stated that the POST Commission's process is separate from this judicial process. POST has rights under the administrative hearing process to have a hearing. The judge can order that the certification be surrendered or so forth and that has been accepted but an attorney could challenge that. Commissioner Baker added that POST can have a formal hearing before 2016 and decertify Mr. Gordon and it will be permanent. Commissioner Wheeler commented if the POST Commission bases what they do on the criminal conviction, then it all disappears when the record is expunged. Gen. Cherry said he feels the forfeiture would still stand if Mr. Gordon is doing that as a condition of the diversion. Mr. Grisham remarked that if they send this to the decertification hearing committee, Mr. Gordon may just admit that he is supposed to surrender his certification and turn it in.

Commissioner Lewis withdrew his motion to accept Mr. Gordon's surrender and moved to send the matter to the decertification hearing committee, seconded by Commissioner Wheeler. The motion carried.

THP  
Due to Claim Division No In-service

THP	George Stephens
Light Duty 10-21-13 to 1-19-14	
THP	Christopher Tysinger
FMLA 10-1-13 to 11-20-13	
THP	Russell Peters
Light Duty 10-29-13 to –present	

Commissioner Williamson moved to approve, seconded by Commissioner Lewis. The motion carried.

**WAIVERS FOR MILITARY LEAVE – RULE 1110-09-.06(5)**

**The following departments are requesting a waiver for military service for the 2013 calendar. Military orders are included along with change of status. These officers will be eligible to receive salary supplement. (Note: THP included but not eligible for salary supplement, allows officers to remain in compliance)**

Chattanooga PD -	Joshua Turner
Military leave – 9-24-12 for 365 days	
Resigned 11-21-13	
Chattanooga PD	William Campbell
11-05-12 – 9-15-13	
Chattanooga PD	Leroy Wright, Jr.
3-4-13 –	
Chattanooga PD	Scott Brinkman
10-07-13	
Chattanooga PD	Shakir S. Ghazi
6-5-13	
*Chattanooga PD	<b>Harry Horton</b>
<b>6-1-13 to 6-13-13</b>	
Chattanooga PD	John Barnett
8-12-12 – 5-3-13	
Chattanooga PD	Shawn Hickey
6-18-10 – 3-17-14	

**REQUEST FOR 2014 SALARY SUPPLEMENT**

Clarksville PD	Corbett Smith, Jr.
12-10-13 – 12-09-14	
Memphis PD	Allen Phillips
6-2-13	
Memphis PD	Adrian C. Arnold
5-14-12 – 4-6-13	
Memphis PD	Steven L. Burk
7-13-13 – 7-22-13 (Returned to full duty status 7-25-13)	
Memphis PD	Shane Evans
4-16-13 – 9-10-13	
Memphis PD	Wayne Gillard
10-1-13 – 10-7-13	
Memphis PD	Nicholas D. Mease-Murphy
9-4-12 – 9-24-13	
Memphis PD	Stephen R. Suarez



11-13-12 – 9-10-13	
Memphis PD	Gitanja Williams
7-14-12 – 10-2-13	
Memphis PD	Bahnan Black
6-13-13 – 1-30-14 MILITARY	
1-30-14 – 2-11-14 ADM.	
Memphis PD	Tracey Chatman
3-8-09	
Memphis PD	Jason M. Coons
6-3-13 –	
Memphis PD	Rodger L. Foxx
8-5-13	
Memphis PD	Lamual D. Jackson
8-5-13 –	
Memphis PD	Eric Jude
11-1-10 – 10-31-2-13	
Memphis PD	John D. Smith
9-10-12 – 12-31-13	
Memphis PD	Kevin K. Vincent
5-12-13	
Memphis PD	Mark A. Williams
1-6-12	
THP	Turk Yordy
3-13-13 – Indefinite	
THP	Erick Gordon
6-21-12 – 10-17-13	
THP	James Dalton
5-12-13 5-12-14	
THP	Thomas Prather
4-4-10-12-31-12	
THP	William Looper
4-1-09 to 4-14-18	

Mr. Welch called the commission's attention to Chattanooga PD – Harry Horton 6-1-13 to 6-13-13. This was two weeks. T.C.A. 38-8-111 reads: Notwithstanding any provisions of law, rule or regulation to the contrary, any police officer who serve or serves on active duty in the Armed Forces of the United States during Operation Enduring Freedom or any other period of armed conflict involving Operation Enduring Freedom shall receive a cash salary supplement, provided pursuant to this section if such service prevented or prevents such officer from attending the in-service training program pursuant to this section.

Mr. Welch noted this was a two-week time period that Mr. Horton served and was well past Chattanooga's training period. Mr. Horton had from January to the middle of May to do training.

Commissioner Lewis moved to approve the military waivers with the exception of Harry Horton of Chattanooga PD, unless this is a typographical error, seconded by Commissioner Baker. Mr. Welch said that he confirmed the time period and it is not an error. The motion carried.

Commissioner Baker moved to disapprove the request of Harry Horton, Chattanooga PD, for salary supplement, seconded by Commissioner Lewis. The motion carried.

**WAIVER FOR IN-SERVICE – VARIOUS**

Chattanooga PD – Donnis Boochie – Officer Boochie began employment with Chattanooga PD on 11-15-13, and attended the 10 week Lateral academy. He had been employed previously with the Signal Mountain PD until 10-31-13, but had not completed in-service training. Request that the Lateral Academy be accepted for his in-service for 2013. He completed the mandatory topics and received his 40 hours during the 2013 calendar year.  
Request so that he is eligible for salary supplement.

Commissioner Baker commented that she did not think the academy should count as in-service. Mr. Welch explained this was Mr. Boochie's second academy. He was previously certified through the POST Commission. He attended TLETA and was employed by Signal Mountain. After leaving there, he went to Chattanooga PD, which has their own academy and a transition school. Mr. Grisham said this is what Metro does when they bring in a previously certified officer and they receive their in-service supplement the first year.

Commissioner Lewis moved to approve, seconded by Commissioner Wheeler. The motion carried.

**WAIVERS OF SIX (6) MONTH RULE:**

Cocke County SO – Hazelwood, Rodney Travis  
Request a waiver of the six month rule. He became a full time officer on 9-23-13 and will be attending WSCC on April, 2014. Waiver requested in order to remain in compliance and be issued POST Certification after successful completion of the academy.

Commissioner Lewis moved to approve, seconded by Commissioner Baker. The motion carried.

Fentress County SO – Hicks, Gregory Dee  
Request a waiver of the six month rule. He became a full time officer on 3-1-14 and will be attending TLETA on May 25, 2014, or Oct. 12, 2014. Waiver requested in order to remain in compliance and be issued POST Certification after successful completion of the academy.

Commissioner Lewis moved to approve, seconded by Commissioner Baker. The motion carried.

Mr. Grisham reminded the commission of the POST meeting to be held in Memphis on May 15 and 16. There will be two formal hearings conducted on Thursday at 1:00 p.m., and the regular business meeting to be held on Friday at 9:30 a.m.

Mr. Welch updated the commission, noting that the Sheriff's Qualifications were completed, which numbered approximately 300. Paperwork is being processed in order to issue checks to various agencies for salary supplement. State auditors have been performing their Sunset Audit. One temporary employee who has been in the office will be leaving.

Mr. Grisham noted he would probably have a presentation in May on the West Tennessee Academy. He said there will be the same instructors and guest instructors. He said they may be using the old Milan firearms range and driving will be conducted at TLETA.

There being no further business, Commissioner Rhoades moved to adjourn, seconded by Commissioner Lewis. The motion carried.

RESPECTFULLY SUBMITTED

---

Patsy Norman  
Licensed Court Reporter #410  
State of Tennessee

APPROVED: \_\_\_\_\_  
GLENN CHRISMAN  
Chairman

DATE: \_\_\_\_\_